

PTO/SB/21 (08-03)

Approved for use through 07/31/2006. OMB 0651-0031

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**TRANSMITTAL  
FORM**

(to be used for all correspondence after initial filing)

<b>TRANSMITTAL FORM</b> (to be used for all correspondence after initial filing)	Application Number	10/616,629	
	Filing Date	July 9, 2003	
	First Named Inventor	Roberto G. Mejia	
	Art Unit	2644	
	Examiner Name	Unknown	
Total Number of Pages in This Submission	N/A	Attorney Docket Number	59322.00003

**ENCLOSURES (check all that apply)**

<input checked="" type="checkbox"/> Fee Transmittal Form (in duplicate) <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> with RCE <input type="checkbox"/> Extension of Time Request (in duplicate) <input checked="" type="checkbox"/> Return Postcard <input checked="" type="checkbox"/> Information Disclosure Statement (2 pages) <input checked="" type="checkbox"/> PTO Form 1449 (4 pages) <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Request for Status of Application <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): <b>72 References cited (only copies of 30 non-patent literature documents are enclosed since the filing date of the application is after June 30, 2003 and copies of U.S. patents are not required).</b>
<b>Remarks</b>		

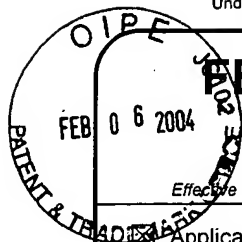
**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm or Individual name	Marc A. Sockol, Reg. No. 40,823 Squire, Sanders & Dempsey L.L.P. 600 Hansen Way Palo Alto, CA 94304-1043
Signature	
Date	February 4, 2004

**CERTIFICATE OF MAILING**

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Typed or printed name	Sandy Yi		
Signature		Date	February 4, 2004

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# **FREE TRANSMITTAL** **for FY 2004**

Effective 10/01/2003. Patent fees are subject to annual revision.

☒ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ ) 0

**Complete if Known**

Application Number	10/616,629
Filing Date	July 9, 2003
First Named Inventor	Roberto G. Mejia
Examiner Name	Unknown
Art Unit	2644
Attorney Docket No.	59322.00003

**METHOD OF PAYMENT (check all that apply)**
☐ Check ☐ Credit card ☐ Money ☐ Other ☐ None  
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Squire, Sanders &amp; Dempsey L.L.P.

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☐ Charge fee(s) indicated below, except for the filing fee  
 to the above-identified deposit account.
**FEE CALCULATION****1. BASIC FILING FEE**

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1001	770	2001	385	Utility filing fee	
1002	340	2002	170	Design filing fee	
1003	530	2003	265	Plant filing fee	
1004	770	2004	385	Reissue filing fee	
1005	160	2005	80	Provisional filing fee	

SUBTOTAL (1)

(\$ ) 0

**2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE**

Total Claims	Extra Claims	Fee from below	Fee Paid
	** = 0	X	= 0
Independent Claims	** = 0	X	= 0
Multiple Dependent	X		= 0

Large Entity		Small Entity		Fee Description
Fee Code	Fee (\$)	Fee Code	Fee (\$)	
1202	18	2202	9	Claims in excess of 20
1201	86	2201	43	Independent claims in excess of 3
1203	290	2203	145	Multiple dependent claim, if not paid
1204	86	2204	43	** Reissue independent claims over original patent
1205	18	2205	9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2)

(\$ ) 0

\*\*or number previously paid, if greater; For Reissues, see above

**FEE CALCULATION (continued)****3. ADDITIONAL FEES**

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet.	
1053	130	1053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	110	2251	55	Extension for reply within first month	
1252	420	2252	210	Extension for reply within second month	
1253	950	2253	475	Extension for reply within third month	
1254	1,480	2254	740	Extension for reply within fourth month	
1255	2,010	2255	1,005	Extension for reply within fifth month	
1401	330	2401	165	Notice of Appeal	
1402	330	2402	165	Filing a brief in support of an appeal	
1403	290	2403	145	Request for oral hearing	
1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive - unavoidable	
1453	1,330	2453	665	Petition to revive - unintentional	
1501	1,330	2501	665	Utility issue fee (or reissue)	
1502	480	2502	240	Design issue fee	
1503	640	2503	320	Plant issue fee	
1460	130	1460	130	Petitions to the Commissioner	
1807	50	1807	50	Processing fee under 37 CFR 1.17 (q)	
1806	180	1806	180	Submission of Information Disclosure Stmt	
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	770	2809	385	Filing a submission after final rejection (37 CFR § 1.129(a))	
1810	770	2810	385	For each additional invention to be examined (37 CFR § 1.129(b))	
1801	770	2801	385	Request for Continued Examination (RCE)	
1802	900	1802	900	Request for expedited examination of a design application	

Other fee (specify) \_\_\_\_\_

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3)

(\$ ) 0

**SUBMITTED BY****Complete (if applicable)**

Name (Print/Type)	Marc A. Sockol	Registration No. (Attorney/Agent)	40,823	Telephone	650.856.6500
Signature				Date	February 4, 2004

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This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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PATENT  
Attorney Docket No.: 59322.00003

# IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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Date: 2/4/2004

By: Sandy Yi  
Sandy Yi

In re Application of:	
Roberto G. Mejia	Examiner: Unknown
Serial No.: 10/616,629	Art Unit: 2644
Filed: July 9, 2003	
Title: ENCODING SYSTEM COMBINING LANGUAGE ELEMENTS FOR RAPID ADVANCEMENT	

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

## INFORMATION DISCLOSURE STATEMENT PURSUANT TO 37 CFR §§1.97(b)

Sir:

In accordance with the duty of disclosure under 37 CFR §1.56 and pursuant to 37 CFR §§1.97-1.98, Applicant hereby notifies the U.S. Patent and Trademark Office of the references listed on the enclosed Form PTO-1449. Pursuant to the PTO's waiver of the requirements under 37 CFR 1.98(a)(2)(i) for submitting a copy of each cited U.S. patent/patent application for new applications filed after June 30, 2003, we are not submitting copies of the U.S. patents cited. However, we are enclosing copies of the non-patent literature documents cited.

The present Information Disclosure Statement is being filed more than three months after the filing date but before receiving the first Office Action. Accordingly, no fee or certification is needed.

The submission of the listed documents is not intended as an admission that any such document constitutes prior art against the claims of the present application. Applicant reserves the right to dispute any of the listed documents as prior art during examination. Furthermore, Applicant does not waive any right to take any action that would be appropriate to antedate or otherwise remove any listed document as a competent reference against the claims of the present application. The submission of this Information Disclosure Statement is not to be construed as a representation that a search has been made or that no other material information may exist.


The Examiner is requested to initial the enclosed Form PTO-1449 and return a copy thereof to the undersigned.

If for any reason an insufficient fee has been paid, please charge the insufficiency to Deposit Account No. 05-0150.

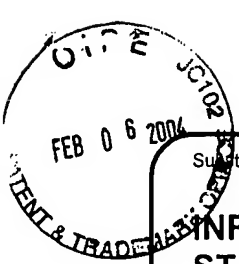
Date: 2/4/04

Squire, Sanders & Dempsey L.L.P.  
600 Hansen Way  
Palo Alto, CA 94304-1043  
Telephone (650) 856-6500  
Facsimile (650) 843-8777

Respectfully submitted,



Marc A. Sockol  
Attorney for Applicant  
Reg. No. 40,823



Substitute for form 1449A/PTO

**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Sheet 1 of 4

**Complete if Known**

Application Number	10/616,629
Filing Date	July 9, 2003
First Named Inventor	Roberto G. Mejia
Art Unit	2644
Examiner Name	Unknown
Attorney Docket Number	59322.00003

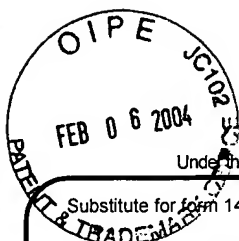
**U.S. PATENT DOCUMENTS**

Examiner Initials *	Cite No. <sup>1</sup>	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number - Kind Code <sup>2</sup> (if known)			
		US-550,563	11-26-1895	Pierce, Jr., Josiah	
		US- 557,307	03-31-1896	Foster, Ralph W.	
		US- 660,255	10-23-1900	Kingma, Jacobus Lambertus	
		US- 683,267	09-24-1901	Froehlich, Helen B.	
		US- 1,230,263	06-19-1917	Alexander, William H. S.	
		US- 3,049,814	08-21-1962	McLain, William R.	
		US- 4,007,548	02-15-1977	Cytanovich, Kathryn Frances	
		US- 4,115,932	09-26-1978	Charlesworth, Rita	
		US- 4,158,921	06-26-1979	Stolpen, Beulah H.	
		US- 4,219,197	08-26-1980	Acuff, Daniel S.	
		US- 4,262,431	04-21-1981	Darnell, Eula K.	
		US- 4,398,891	08-16-1983	King, Mildred D.	
		US- 4,650,423	03-17-1987	Sprague et al.	
		US- 4,703,425	10-27-1987	Muraki, Kazunori	
		US- 4,768,959	09-06-1988	Sprague et al.	
		US- 4,778,392	10-18-1988	Mitchell, Leslie K.	
		US- 4,914,019	04-03-1990	Chu, Tung Y.	
		US- 5,057,020	10-15-1991	Cytanovich, Kathryn F.	
		US- 5,108,113	04-28-1992	Leach, Leonora M.	
		US- 5,199,714	04-06-1993	Harper, Dorothy D.	
		US- 5,203,706	04-20-1993	Zamir, Amos	
		US- 5,306,153	04-26-1994	Foster, Margaret J.	
		US- 5,429,513	07-04-1995	Diaz-Plaza, Ruth R.	
		US- 5,524,899	06-11-1996	Hagedorn, Rhonda F.	
		US- 5,772,212	06-30-1998	Hagedorn, Rhonda Faye	
		US- 5,788,503	08-04-1998	Shapiro, et al.	
		US- 5,799,267	08-25-1998	Siegel, Steven H.	
		US- 5,863,043	01-26-1999	Bitner, Gary	
		US- 5,906,492	05-25-1999	Putterman, Margaret	
		US- 5,953,692	09-14-1999	Siegel, Steven H.	
		US- 5,997,304	12-07-1999	Wood, Michael C.	
		US- 6,009,397	12-28-1999	Siegel, Steven H.	
		US- 6,022,222	02-08-2000	Guinan, Mary Beth	
		US- 6,077,080	06-20-2000	Rai, Shogen	
		US- 6,148,286	11-14-2000	Siegel, Steven H.	
		US- 6,227,863	05-08-2001	Spector, Donald	
		US- 6,358,059	03-19-2002	Li, Ruyun	
		US- 6,375,467	04-23-2002	Grant, Sonia	
		US- 6,435,504	08-20-2002	Nightingale, Fred M.	
		US- 6,442,523	08-27-2002	Siegel, Steven H.	
		US- 6,544,037	04-08-2003	Fink, Jeffrey A.	
		US- 6,551,110	04-22-2003	Hastie, Patricia Catherine	

**FOREIGN PATENT DOCUMENTS**

Examiner Initials *	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
		Country Code <sup>3</sup> - Number <sup>4</sup> - Kind Code <sup>5</sup> (if known)				

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SignatureDate  
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PTO/SB/08b(08-03)

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**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Sheet 2 of 4

**Complete if Known**

Application Number	10/616,629
Filing Date	July 9, 2003
First Named Inventor	Roberto G. Mejia
Art Unit	2644
Examiner Name	Unknown
Attorney Docket Number	59322.00003

**NON PATENT LITERATURE DOCUMENTS**

Examiner Initials *	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
	/	Applicant is aware of a 3 Cueing System by Marilyn Jager Adams; however, he is unaware of a particular reference and/or dates. A copy of 1 page showing a diagram of the 3 Cueing System is attached.	
	/	Open Court Reading; Open Court Reading Grade Levels Pre-K - 6 and Breaking the Code, Grade Levels 4 - Adult; 3 pages; Copyright 2002. URL: SRAONLINE.COM	
	/	Reading/Language Arts - Phonics & Linking Language Cubes & Phonics; date unknown; pages 13-14 and 25-26. URL: <a href="http://www.grades123.com">http://www.grades123.com</a>	
	/	ETA Cuisenaire: Reading Rods Making Words Kit, Reading Rods Phonics Word-Building Kit, Reading Rods Sentence Construction Kit, Reading rods Short Vowel Word Families Kit, Reading Rods Alphabet & Phonemic Awareness Kit, Reading Rods Prefixes, Suffixes & Root Words Kit, Reading Rods Color-Coded Literacy Program and Additional Reading Rods Materials; Copyright 2003 ETA/Cuisenaire; 10 pages. URL: <a href="http://www.eta-cuisenaire.com/reading-rods/reading-rods.jsp">http://www.eta-cuisenaire.com/reading-rods/reading-rods.jsp</a>	
	/	ETA Cuisenaire: Reading Rods: Available Kits; Contains Target Skills for Reading Rods Alphabet and Phonemic Awareness Kit, Reading Rods Short Vowel Word Families Kit, Reading Rods Phonics Word-Building Kit and Reading Rods Prefixes, Suffixes, and Root Words Kit; Printed February 18, 2002; 1 page. URL: <a href="http://www.eta-cuisenaire.com/rk-kits.jsp">http://www.eta-cuisenaire.com/rk-kits.jsp</a>	
	/	Phono-Graphix Website: "What is Phono-Graphix?"; Contains the following information: The Nature of the Code and the Child as a Learner of the Code, The Skills Needed to Use Such a Code and a Summary of Phono-Graphix Research; Printed January 21, 2001; 5 pages. URL: <a href="http://www.readamerica.net">http://www.readamerica.net</a>	
	/	PHONOGRAPHIX Catalog - Read America Educational Materials 2; Online Catalog - Page 2, Classroom and Clinical Materials; Printed May 4, 2002; 4 pages. URL: <a href="https://www.readamerica.net/uscart/cat2.htm">https://www.readamerica.net/uscart/cat2.htm</a>	
	/	Phono-Graphix - What is Photographix?; Contains skills, concepts, origination and Ofsted report regarding PhonoGraphix; date unknown; 2 pages. URL: <a href="http://www.readuk.com/phonographix.html">http://www.readuk.com/phonographix.html</a>	
	/	Phonics for English, Reading, Spelling & Writing; Contained information about Orton Phonograms and Program Components; date unknown; 13 pages. URL: <a href="http://www.yesphonics.com">http://www.yesphonics.com</a>	
	/	THRASS-IT: USER GUIDE - Teaching Handwriting, Reading and Spelling Skills; Copyright 1998 Alan Davies & Denyse Ritchie; PC Version ISBN 1876424 06 0 or Mac Version ISBN 1876424 07 9; 5 pages; Published by THRASS (Australia) PTY LTD and THRASS (UK) LTD.	
	/	THRASS: Teaching Handwriting, Reading and Spelling Skills; Copyright THRASS (Australia) PTO LTD and THRASS (UK) LTD; date unknown; 7 pages. URL: <a href="http://www.thrass.co.uk/">http://www.thrass.co.uk/</a>	

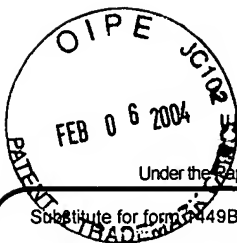
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<sup>1</sup>Applicant's unique citation designation number (optional). <sup>2</sup>Applicant is to place a check mark here if English language Translation is attached.

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**INFORMATION DISCLOSURE  
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(Use as many sheets as necessary)

Sheet

3

of

4

**Complete if Known**

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First Named Inventor	Roberto G. Mejia
Art Unit	2644
Examiner Name	Unknown
Attorney Docket Number	59322.00003

**NON PATENT LITERATURE DOCUMENTS**

Examiner Initials *	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
	/	THRASS Catalogue 2004; 37 pages. URL: <a href="http://www.thrass.com/cat04.htm">http://www.thrass.com/cat04.htm</a> .	
	/	Zoo-phonics Scope and Sequence and An Introduction to Zoo-phonics; date unknown; pages 1-5 and 13-21.	
	/	Zoo-phonics Unit 2 - FOCUS: Learn More About the Animals, "Come Meet Us at the Zoo," and Introduce "Left to Right, Up and Down" and Spelling Unit #2; Copyright 1999 by Zoo-phonics, Inc.; pages 15-26 and 47-56.	
	/	Zoo-phonics, Inc. Educational Representative employment posting, employment agreement and application for employment; date unknown; 7 pages.	
	/	Zoo-phonics, a learning game that works"; date unknown; 9 pages.	
	/	Zoo-phonics 2002 Catalog & Workshop Information; 24 pages.	
	/	MCCARTY, Roxanne H.; "Reading Therapy Project"; Project Site: U.S. Dept. of Justice, Federal Bureau of Prisons Federal Correctional Institution, Ray Brook, NY; date unknown; 4 pages.	
	/	HEAD-DYLA, Candace; "Bernadillo County Juvenile Detention Center Education Unit Report"; BCIDC/APS Education Unit, Albuquerque, NM; date unknown; 1 page.	
	/	WOODWARD, Frances; "Clinical Implementation For Reading and Spelling Improvement with Clinical Notes"; Brook Knoll Elementary School; date unknown; 1 page.	
	/	DUNCAN, Erin; "Brook Knoll Elementary School Reading Assistance Pilot Project"; date unknown; 1 page; Advantage Learning Services, Scotts Valley, CA.	
	/	MONTOYA, Mary Jo; "Florence High School Reading Grant"; date unknown; 1 page.	
	/	SHEARER, Grant; "Sunderland Reception Year Pilot Study (Interim Report); date unknown; 1 page.	
	/	MCGUINNESS, Carmen and Geoffrey MCGUINNESS; "Research A Short Report on Phono-Graphix Clinical and Classroom Application on British School Children"; date unknown; 1 page.	
	/	LORE, Pam; "Moon Hall Dyslexia Pilot Study"; Moon Hall School, Surrey, England; Study ran from Sept 1999 until March 2000; 1 page.	

Examiner  
SignatureDate  
Considered

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> Applicant is to place a check mark here if English language Translation is attached. This collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 120 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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